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United States of America

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
  
Plaintiff,

v.

PRESTON NELSON-KESTNER,  
  
Defendant.

Case No: 1:25-CR-00096-JLT-SKO

STIPULATION BETWEEN THE UNITED STATES  
AND DEFENDANT REGARDING PRODUCTION  
AND REVIEW OF PROTECTED INFORMATION  
AND PROTECTIVE ORDER

Ctrm: 8

Hon. Sheila K. Oberto

This case involves charges related to the sexual exploitation of a minor. The discovery in this case contains private personal information regarding third parties (both adults and minors), including names, dates of birth, physical descriptions, telephone numbers and/or residential addresses and other sensitive information that does not need to be available to the public or persons other than defense counsel and/or the defendant. The case also involves images that might constitute depictions of a minor engaged in sexually explicit conduct that the government is not authorized to reproduce and that the defense is not legally entitled to possess.

As a result, defendant Preston Nelson-Kestner, by and through his counsel of record, Galatea DeLapp (defense counsel), and the United States of America, by and through Assistant United States Attorney David Gappa, agree as follows:

1. This court may enter a protective order under Rule 16(d) of the Federal Rules of Criminal Procedure, and the court's general supervisory authority.

2. The protective order should cover all discovery provided to or made available to defense counsel as part of discovery in this case including digital evidence and contraband.

3. The Federal Bureau of Investigation (FBI) shall make any contraband material available to defense counsel for review within the confines of the FBI office in Fresno.

4. Any contraband evidence shall be made available for defense counsel, Galatea DeLapp, for the purpose of preparing for the defense of the above-entitled action. The contraband evidence shall not be viewed by any other person unless defense counsel is present and the viewing is necessary to prepare for defendant's defense.

5. Neither defense counsel nor any defense expert or investigators shall remove any contraband material from the FBI office.

6. Any disputes regarding the above or problems implementing this order shall be brought to the attention of the court through representative counsel after first consulting opposing counsel.

By signing this stipulation and protective order, defense counsel agrees not to share any documents that contain protected information with anyone other than a designated defense investigator, designated defense expert, and support staff. The parties agree that defense counsel, defense investigators, and support staff shall not allow the defendant to copy protected information contained in the discovery or to review unredacted versions of documents. The parties agree that defense counsel, defense investigators, and support staff may provide the defendant with copies of documents, if any, from which protected information has first been redacted.

7. The discovery and information therein may be used only in connection with the litigation of this case and for no other purpose. The discovery is now and will forever remain the property of the United States of America (the government). Defense counsel will return the discovery to the government

1 or certify that it has been destroyed at the conclusion of the case or defense counsel's participation in the  
2 case as counsel.

3 8. Defense counsel will store the discovery in a secure place and will use reasonable care to  
4 ensure that it is not disclosed to third persons in violation of this agreement.

5 9. Defense counsel shall be responsible for advising the defendant, employees, and other  
6 members of the defense team, and defense witnesses of the contents of this stipulation and order.

7 10. In the event that defendant substitutes counsel, undersigned defense counsel agrees to  
8 withhold discovery from new counsel unless and until substituted counsel agrees also to be bound by  
9 this order.

10 Dated: May 21, 2025

11 /s/ Galatea DeLapp  
12 Galatea DeLapp  
13 Attorney for defendant  
14 Preston Nelson-Kestner

15 Dated: May 21, 2025

16 MICHELE BECKWITH  
17 Acting United States Attorney

18 /s/ David Gappa  
19 David Gappa  
20 Assistant U.S. Attorney  
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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

PRESTON NELSON-KESTNER,

Defendant.

Case No: 1:25-CR-00096-JLT-SKO

ORDER ON STIPULATION BETWEEN THE  
UNITED STATES AND DEFENDANT  
REGARDING PRODUCTION AND REVIEW OF  
PROTECTED INFORMATION

**ORDER**

1. The discovery and information within it may be used only in connection with the litigation of this case and for no other purpose. The discovery is now and will remain the property of the United States of America (the government). Defense counsel will return the discovery to the government at the conclusion of the case or certify that she has destroyed any copy of discovery that was provided to defense counsel.

2. Defense counsel may permit the defendant to view documents in the presence of his attorney(s), defense investigator(s), and/or support staff. The parties agree that defense counsel, defense investigator(s), and support staff shall not allow the defendant to copy or record protected information contained in the discovery. The parties agree that defense counsel, defense investigator(s), and support staff may provide the defendant with copies of documents, if any, from which protected information has first been redacted.

3. Defense counsel will store the discovery in a secure place and will use reasonable care to ensure that it is not disclosed to anyone in violation of this agreement. Defense counsel shall be responsible for advising the defendant, employees, and other members of the defense team, and defense witnesses of the contents of this stipulation and order.

IT IS SO ORDERED.

/s/ Eric P. Grogg  
UNITED STATES MAGISTRATE JUDGE